



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.718/2025 (Delay) IN
CRIMINAL APPEAL STAMP NO. 6969/2025

Sunil Punjaram Vairagade .Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. S. Das, Appointed Advocate for applicant.
Mr.K. R. Lule, A.P.P for non applicant – State.

CORAM : ANIL L. PANSARE AND
SIDDHESHWAR S. THOMBRE, JJ.

DATE : SEPTEMBER 3, 2025

By present application, applicant seeks condonation of delay of 568 days in filing appeal against judgment and order dated 26.10.2023 passed in Sessions Case No.26/2022, thereby convicting the appellant for the offence punishable under Section 302 of the Indian Penal Code, 1860.

2. Counsel for the applicant submits that the reason for delay is, delay in procuring the documents due to restrictions of movement as also the financial crisis suffered by the applicant. The applicant was not in a position to appoint an advocate of his own choice and hence legal aid has been provided to him, which took time to prefer appeal well within time. The learned counsel further submits that the applicant has a good case on merit.

3. Learned A.P.P. has opposed the application contending that the delay has been not properly explained.

4. In our view, the applicant appears to have some difficulties to proceed further. He belongs to a poor strata of the society. Further, this is the first appeal, which is the right of the

applicant. We, therefore, deem it appropriate to condone the delay.

5. Accordingly, the application is allowed. Delay of 568 days in filing the appeal is condoned. Appeal be registered. The application is disposed of in the above terms.

Criminal Appeal Stamp No. 6969/2025

Heard.

2. Admit.

3. Call record and proceedings.

4. Learned A.P.P. waives service of notice for respondent-State.

(Siddheshwar S. Thombre, J.)

(Anil L. Pansare, J.)